

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

THE SOUTH CAROLINA STATE
CONFERENCE OF THE NAACP,

and

TAIWAN SCOTT, on behalf of himself and all
other similarly situated persons,

Plaintiffs,

v.

THOMAS C. ALEXANDER, in his official
capacity as President of the Senate;
LUKE A. RANKIN, in his official capacity as
Chairman of the Senate Judiciary Committee;
JAMES H. LUCAS, in his official capacity as
Speaker of the House of Representatives;
CHRIS MURPHY, in his official capacity as
Chairman of the House of Representatives
Judiciary Committee; WALLACE H.
JORDAN, in his official capacity as Chairman
of the House of Representatives Elections Law
Subcommittee; HOWARD KNAPP, in his
official capacity as interim Executive Director
of the South Carolina State Election
Commission; JOHN WELLS, Chair,
JOANNE DAY, CLIFFORD J. ELDER,
LINDA MCCALL, and SCOTT MOSELEY,
in their official capacities as members of the
South Carolina State Election Commission,

Defendants.

Case No. 3:21-cv-03302-MBS-TJH-RMG

**JOINT STIPULATION REGARDING
DEPOSITIONS ON CONGRESSIONAL
PLAN**

WHEREAS Plaintiffs, The South Carolina State Conference of the NAACP and Taiwan
Scott, on behalf of himself and all other similarly situated persons, and all above-named

Defendants, by and through their undersigned counsel, hereby desire to enter into this stipulation concerning Federal Rule of Civil Procedure 30(a) and the applicability of certain portions of the Local Civil Rules regarding depositions in the District of South Carolina;

WHEREAS Plaintiffs and all Defendants above named may be collectively referred to herein as the “**Parties**”;

WHEREAS the above-captioned case, Civil Action No. 3:21-cv-03302-MBS-TJH-RMG, may be referred to herein as the “**Action**”; and

WHEREAS the Parties met and conferred and reached an agreement regarding the operation of the Local Civil Rules (D.S.C.), for the purposes of avoiding unnecessary disputes that could arise throughout the course of depositions in this Action due to its streamlined nature.

NOW, THEREFORE, IT IS on this 21st day of June, 2022, STIPULATED as follows:

1. The Parties agree that each side may take no more than twenty (20) additional depositions, including expert witness depositions, without leave of court.
2. The Parties agree that, generally, all reasonable efforts will be made to limit the duration of each deposition to five (5) hours.
3. The Parties agree to make reasonable efforts to limit the scope of the depositions to matters related to the Congressional plan.
4. The Parties agree that if an individual witness has already been deposed by a Party in this Action, the witness may be deposed a second time pursuant to the terms of this Joint Stipulation.
5. The Parties agree that if an individual witness is being deposed a second time by the same Party, the deposing Party will make reasonable, good faith efforts to limit the scope of depositions to areas that were not explored in the prior deposition and to limit any

unnecessary repetition. This Paragraph does not apply to expert witnesses or witnesses not represented by the Parties.

6. The Parties agree to make reasonable, good faith efforts that the examination of an individual witness being deposed a second time by the same Party will be limited to no more than four (4) hours in length. The Parties further agree that at least 24 hours prior to such a deposition, the attorney conducting the deposition will confer with the attorney defending the deposition in an effort to streamline the deposition where appropriate in conformity with this Joint Stipulation.
7. Given the ongoing nature of the COVID-19 pandemic and the fact that some witnesses reside outside of South Carolina, the Parties agree that depositions in this Action may be taken remotely via Zoom, Webex, or another reliable and agreed-upon electronic means. This does not prevent the Parties from taking live, in-person depositions in this Action. The Parties agree to work cooperatively regarding the scheduling and taking of depositions on a witness-by-witness basis.
8. The Parties agree that Local Civil Rule 30.02, regarding objections to telephonic depositions, does not apply to this Action.
9. The Parties agree that the seven (7) day timeframe within Local Civil Rule 30.04(C) shall be reduced to (3) days.
10. The Parties agree that the “at least seven (7) days” timeframe within Local Civil Rule 30.04(H) shall be reduced to at least two business days (2) days.
11. The Parties may modify this Joint Stipulation, provided, however, that any modification shall not be effective unless it appears in a writing signed by all Parties.

Dated: June 21, 2022

Leah C. Aden**
Stuart Naifeh**
Raymond Audain**
John S. Cusick**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
40 Rector St, 5th Fl.
NY, NY 10006
Tel.: (212) 965-7715
laden@naacpldf.org

Christopher J. Bryant, Fed. ID 12538
BOROUGHES BRYANT, LLC
1122 Lady St., Ste. 208
Columbia, SC 29201
Tel.: (843) 779-5444
chris@boroughesbryant.com

Adriel I. Cepeda Derieux**
Samantha Osaki**
AMERICAN CIVIL
LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Tel.: (212) 549-2500
acepedaderieux@aclu.org

John A. Freedman**
Elisabeth S. Theodore*
Gina M. Colarusso**
John M. Hindley**
ARNOLD & PORTER
KAYE SCHOLER LLP
601 Massachusetts Ave., N.W.
Washington, D.C. 20001
Tel: (202) 942-5000
john.freedman@arnoldporter.com

Janette M. Louard*
Anthony P. Ashton*
Anna Kathryn Barnes**
NAACP OFFICE OF THE GENERAL
COUNSEL

Respectfully submitted,

/s/ Santino Coleman
Santino Coleman,*** Fed. ID. 11914
Antonio L. Ingram II**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
700 14th St, Ste. 600
Washington, D.C. 20005
Tel.: (202) 682-1300
scoleman@naacpldf.org
aingram@naacpldf.org

Somil B. Trivedi**
Patricia Yan**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
915 15th St., NW
Washington, DC 20005
Tel.: (202) 457-0800
strivedi@aclu.org

Allen Chaney, Fed. ID 13181
AMERICAN CIVIL LIBERTIES UNION
OF SOUTH CAROLINA
Charleston, SC 29413-0998
Tel.: (843) 282-7953
Fax: (843) 720-1428
achaney@aclusc.org

Jeffrey A. Fuisz**
Paula Ramer**
ARNOLD & PORTER KAYE SCHOLER LLP
250 West 55th Street
New York, NY 10019
Tel: (212) 836-8000
jeffrey.fuisz@arnoldporter.com

Sarah Gryll**
ARNOLD & PORTER KAYE SCHOLER LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231
Tel: (312) 583-2300
sarah.gryll@arnoldporter.com

4805 Mount Hope Drive
Baltimore, MD 21215
Tel: (410) 580-5777
jlouard@naacpnet.org

Counsel for Plaintiff the South Carolina
Conference of the NAACP

s/Jane Trinkley

M. Elizabeth Crum (Fed. Bar #372)
Jane W. Trinkley (Fed. Bar #4143)
Michael R. Burchstead (Fed. Bar #102967)
BURR & FORMAN LLP
Post Office Box 11390
Columbia, SC 29211
Telephone: (803) 799-9800
Facsimile: (803) 753-3278

Thomas W. Nicholson (Fed. Bar #12086)
tnicholson@elections.sc.gov
South Carolina State Election Commission
1122 Lady St., 5th Floor,
Columbia, SC. 29250
Telephone: (803) 734-9060
Facsimile: (803) 734-9366

Attorneys for Election Commission Defendants

s/Robert E. Tyson Jr.

Robert E. Tyson, Jr. (7815)
Vordman Carlisle Traywick, III (12483)
La'Jessica Stringfellow (13006)
ROBINSON GRAY STEPP & LAFFITTE, LLC
1310 Gadsden Street
Post Office Box 11449 (29211)
Columbia, South Carolina 29201
(803) 929-1400
rtyson@robinsongray.com
ltraywick@robinsongray.com
lstringfellow@robinsongray.com

John M. Gore**
Stephen J. Kenny**
JONES DAY
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Phone: (202) 879-3939

Counsel for Plaintiff the South Carolina
Conference of the NAACP

* Motion for admission *Pro Hac Vice*
forthcoming
** Admitted *Pro Hac Vice*
*** Mailing address only (working remotely
from South Carolina)

s/ Mark C. Moore

William W. Wilkins (Fed. ID No. 4662)
Andrew A. Mathias (Fed. ID No. 10166)
Konstantine P. Diamaduros (Fed. ID No.
12368)
NEXSEN PRUET, LLC
104 S. Main Street, Suite 900
Greenville, SC 29601
Telephone: 864.370.2211
BWilkins@nexsenpruet.com
AMathias@nexsenpruet.com
KDiamaduros@nexsenpruet.com

Mark C. Moore (Fed. ID No. 4956)
Jennifer J. Hollingsworth (Fed. ID No.
11704)

Erica H. Wells (Fed. ID No. 13206)
Hamilton B. Barber (Fed. ID No. 13306)
Michael A. Parente (Fed. ID No. 13358)
NEXSEN PRUET, LLC
1230 Main Street, Suite 700
Columbia, SC 29201
Telephone: 803.771.8900
MMoore@nexsenpruet.com
JHollingsworth@nexsenpruet.com
EWells@nexsenpruet.com
HBarber@nexsenpruet.com
MParente@nexsenpruet.com

Rhett D. Ricard (Fed. ID No. 13549)
NEXSEN PRUET, LLC
205 King Street, Suite 400
Charleston, SC 29401
Telephone: 843.720.1707
RRicard@nexsenpruet.com

Fax: (202) 626-1700
jmgore@jonesday.com
skenny@jonesday.com

Attorneys for House Defendants

Counsel for Senate Defendants
** Admitted *Pro Hac Vice*